

IDAHO STATE BOARD OF CHIROPRACTIC PHYSICIANS
BOARD MEETING
January 27, 2000

Meeting was called to order at 9:15 a.m. by motion of Dr. West and second from Dr. Harper, carried.

Roll Call: Dr. James Hollingsworth, Chair
 Dr. Henry West
 Sandra Averill
 Dr. Dennis Harper

Absent Dr. Zane Sterling

Others present: Thomas E. Limbaugh, Bureau Chief
 Budd Hetrick, Deputy Bureau Chief
 Roger Hales, Administrative Attorney
 Kirsten Wallace, Deputy Attorney General
 Cherie Simpson, Administrative Assistant

Dr. Hollingsworth welcomed Dr. Dennis Harper back to the Board of Chiropractic Physicians.

Motion by Dr. West to accept the minutes as presented of the September 17, 1999 board meeting and October 4, 1999 conference call. Seconded by Dr. Harper, carried.

Motion by Dr. West that Dr. Hollingsworth and any of the board members that plan to attend the FCLB meeting in Seattle, Washington, May 3 – 7, 2000 be paid honorarium and reimbursed expenses. Seconded by Dr. Harper, carried.

Mr. Limbaugh introduced himself to the Board. He addressed the financial report that the Board had been provided. He also addressed the contract between the Board and the Bureau.

INVESTIGATIVE REPORT

Moved by Dr. West that Board go into executive session to discuss potential litigation.
Seconded by Ms. Averill, carried.

Moved by Dr. West that the Board come out of executive session. Seconded by Ms. Averill, carried.

Moved by Dr. West that the report be accepted and that the complaint CHI-P2B-02A-99-007 be dismissed. Seconded by Dr. Harper, carried.

Moved by Ms. Averill that report be accepted and the complaint be dismissed but that respondent in complaint CHI-P3B-02A-99-004 be sent a letter with respect to the adequacy of record keeping and suggests more detailed record keeping in the future and that the Chairman write the letter. Seconded by Dr. West, carried.

Moved by Ms. Averill that report be accepted, that complaint CHI-P4B-02-99-009 be dismissed and that Board Chairman draft a letter to respondent regarding sufficiency of the examination specifically with respect to the x-ray, whether there was one taken and also requesting the number of procedures he's done in the last six months, the verbal contract, and the matter of a therapist in the room during procedure. Seconded by Dr. West, carried.

Moved by Dr. Harper that report be accepted and that complaint CHI-P3C-01-99-008 be dismissed that the Board follow the advise of the investigator and the attorney, Seconded by Dr. West, carried.

Dr. Hollingsworth and Ms. Averill will draft letters with the case numbers on them and he will send them to Ms. Wallace and Mr. Hales for addressing and the hard copy sent back to Dr. Hollingsworth.

Applicant CHI-121198RA appeared before the Board with her request for appeal of the nutrition examination that she had failed at the last examination in June, 1999. Applicant addressed her concerns with the grading of the examination.

Break for five minutes.

Moved by Ms. Averill that the Board go into executive session to discuss potential litigation. Seconded by Dr. Harper, carried.

Moved by Dr. Harper that the Board come out of executive session. Seconded by Ms. Averill, carried.

CONTRACT

Mr. Limbaugh reviewed the contract with the Board. Changes were recommended. Moved by Dr. Harper that the contract be approved as changed and that Dr. Hollingsworth execute the contract on behalf of the Board upon completion. Seconded by Dr. West, carried.

Moved by Dr. Harper that the Board to go into executive session to discuss potential litigation. Seconded by Ms. Averill, carried.

Moved by Dr. West that the Board come out of executive session. Seconded by Dr. Harper, carried.

REQUEST FOR WAIVER ON EXAM

Moved by Dr. West that two potential applicants requesting a waiver of portions of the NBCE examination be denied their request for waivers under present rules and that a copy of the Idaho Chiropractic laws and rules be sent to both and the applicant requesting a permit be denied. Seconded by Dr. Harper, carried.

PRECEPTORSHIP

A request for information on Idaho's preceptor program from chiropractic student was read. Discussion was held on the chiropractic assistant allowed by rule and the possibility of a preceptor program falling in this category. Mr. Hales felt the chiropractic colleges would need to review the rule to determine whether it fits their requirements.

Moved by Dr. West that Mr. Hales draft an appropriate policy, rule, or law that would allow a preceptoreship to be implemented this year. If it requires a law change the following year, the Board would like it pursued. Seconded by Ms. Averill, carried.

Moved by Ms. Averill that a letter be sent to the chiropractic student stating that this matter is under investigation and that he will be informed of findings in a timely fashion. Seconded by Dr. West, carried.

Mr. Hales informed the Board that if the chiropractic colleges would view the Board's chiropractic assistant program as preceptoreship then it is allowed. Rules refer to the status as chiropractic assistant; colleges refer to the status as intern/preceptorship.

Moved by Dr. West that a letter be drafted from Mr. Hales with Dr. West's assistance to LACC college stating, "that the Board has been approached by a student wanting to complete an internship in the state of Idaho. The laws and rules have been reviewed. We have in Idaho a limited status that is called "chiropractic assistance". They are allowed to do practice in accordance with specific laws and rules (include rules). If this meets the basic requirements of your intern/preceptoreship program they would be welcome in Idaho". The draft will be forwarded to Dr. Hollingsworth and a conference call will be scheduled to approve the letter. Seconded by Dr. Harper, carried.

Moved by Dr. West that there be a written definition on preceptoreship in rules. Seconded by Dr. Harper, carried.

ACUPUNCTURE

Moved by Dr. West that, since the practice of acupuncture has historically been a part of the practice of chiropractors since 1972, and has been taught in chiropractic colleges and included in

postgraduate work, the Board pursue legislation that exempts chiropractors from the acupuncture law and pursue certification procedures for chiropractors within the state of Idaho. No second.

Moved by Dr. West that based on historical practice, homeopathy has been a part of chiropractic practice within the state of Idaho since 1972. The Board will pursue appropriate action to insure that nutritional counseling, and the use of nutritional supplements including homeopathic remedies be included in the scope of practice for chiropractors. Seconded by Dr. Harper, carried.

Discussion was held on the proposed legislation dealing with natureopathy.

Moved by Dr. West that Board recess for lunch. Seconded by Ms. Averill, carried.

Board reconvened at 2:05 p.m.

Brad Hoaglund, lobbyist for the Idaho Association of Chiropractic Physicians, met with the Board regarding the naturopath bill and other areas that may be of interest. Mr. Hoaglund informed the Board that the acupuncture Board would like to work with the Chiropractors in the practice of acupuncture in chiropractics. They will look into consideration for possible exemption or some other workable options the next legislative session.

Moved by Ms. Averill that the Board go into executive session to discuss potential litigation. Seconded by Dr. Harper, carried.

Moved by Ms. Averill that the Board come out of executive session. Seconded by Dr. Harper, carried.

Moved by Dr. West that the Board go into executive session to discuss potential litigation. Seconded by Dr. Harper, carried.

Moved by Ms. Averill that the Board come out of executive session. Seconded by Dr. Harper, carried.

Moved by Dr. West that in regards to CHI121198RA a letter should be drafted by Mr. Hales stating that the appeal has had proper review and the Board will stand on the scoring and the status of the examination. Her appeal has been denied. Seconded by Ms. Averill, carried.

Moved by Dr. West that the appeal be denied pending receipt from applicant of her calculations and empower the Board Chair to review any supplemental information, and if he is not persuaded by her calculations, he is authorized to send the letter of denial. Seconded by Dr. Harper, carried.

Meeting adjourned at 3:15 p.m.

BOARD APPROVED 6/27/00